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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JINETTE HIDALGO, on behalf of herself and all others similarly situated, Plaintiff, vs. JOHNSON & JOHNSON CONSUMER COMPANIES, INC., Defendant.	Case No.: 1:15-CV-05199-RA Assigned to the Hon. Ronnie Abrams **STIPULATION OF DISMISSAL** [~~PROPOSED~~ ORDER LODGED CONCURRENTLY] Complaint filed: July 2, 2015

Plaintiff Jinette Hidalgo, individually and on behalf of a putative class, and Defendant Johnson & Johnson Consumer Inc., through their respective counsel of record, hereby stipulate and agree, subject to Court Order, to the dismissal of this action with prejudice.

This stipulation is based on the following:

1. As the parties reported to the Court in the latest Status Report on February 21, 2017 (Dkt. 52), Plaintiff's counsel filed a First Amended Complaint in the related action, *Leiner v. Johnson & Johnson Consumer Companies, Inc.,* Case No. 15-CV-5876, in the Northern District of Illinois ("the *Leiner* Action") on August 9, 2016, which alleges a nationwide class, for settlement purposes, of the same claims raised in this action. The *Leiner* Action wholly encompasses the parties and issues in this lawsuit.

2. A Final Settlement Order and Judgment was entered in the *Leiner* Action on January 31, 2017, approving the Settlement.

3. There were two objectors to the settlement, whose objections were overruled by the *Leiner* Court. Those objectors appealed, and then voluntarily dismissed their appeals. The period for appealing *Leiner* has expired and the *Leiner* judgment is now fully final.

4. In accordance with Federal Rule of Civil Procedure 41(a)(1), the parties hereby stipulate to dismissal of this action with prejudice, each party to pay its own costs and attorneys' fees, and waiving all rights of appeal.

5. The parties also jointly request the Court to enter an Order of Dismissal, a proposed version of which is lodged concurrently.

6. Good cause for this request exists for granting this requested relief as it will serve the interest of justice and save party and judicial resources that would otherwise be required for further adjudication.

WHEREFORE, the parties respectfully request that the Court accept the parties' Stipulation and enter an Order of Dismissal.

Dated: April 28, 2017

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Attorneys for Defendant Johnson & Johnson Consumer Inc.

SO ORDERED:

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U.S.D.J.
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